



PATENT
Customer N . 22,582
Atty. Docket No. 3495.0135-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 Jean-Pierre CHANGEUX et al.)
)
 Serial No. 09/349,925) Group Art Unit: 1633
)
 Filed: July 8, 1999) Examiner: P. Paras, Jr.

For: **TRANSGENIC MICE CONTAINING REGULATORY SEQUENCES OF THE β 2-SUBUNIT OF THE NEURONAL NICOTINIC ACETYLCHOLINE RECEPTOR (AS AMENDED)**

Assistant Commissioner for Patents
 Washington, D.C. 20231

RECEIVED

DEC 17 2002

TECH CENTER 1600/2900

Sir:

12/16/2002 SDIRETA1 00112 09349925

02 FC:1814

110.00 OP

TERMINAL DISCLAIMER

Petitioner ("Assignee"), INSTITUT PASTEUR duly organized under the laws of France and having its principal place of business at 28 rue du Docteur Roux, 75015 Paris, Cedex 15, France, represents that it is the assignee of the entire right, title, and interest in and to the above-identified application, Serial No. 09/349,925, filed July 8, 1999, for TRANSGENIC MICE CONTAINING REGULATORY SEQUENCES OF THE β 2-SUBUNIT OF THE NEURONAL NICOTINIC ACETYLCHOLINE RECEPTOR (AS AMENDED), in the name of Jean-Pierre CHANGEUX, Marina PICCIOTTO, and Alain BESSIS, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 7373, Frame 0965, a copy of which is attached hereto, and is and at all times was the assignee of U.S. Patent No. 6,452,066 for GENOMIC DNA

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CHANGEUX et al.
Serial No. 09/349,925

Attorney Docket No. 3495.0135-02

FRAGMENTS CONTAINING REGULATORY AND CODING SEQUENCES FOR THE β 2-SUBUNIT OF THE NEURONAL NICOTINIC ACETYLCHOLINE RECEPTOR AND TRANSGENIC ANIMALS MADE USING THESE FRAGMENTS OR MUTATED FRAGMENTS in the name of Jean-Pierre CHANGEUX, Marina PICCIOTTO, and Alain BESSIS, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 7373, Frame 0965, a copy of which is attached hereto.

Assignee, INSTITUT PASTEUR, further represents that the attached evidentiary documents establishing the assignments have been viewed and certifies, that to the best of Assignee's knowledge and belief, that title to the above-identified application and to U.S. Patent No. 6,452,066 is in Assignee, who is submitting this Terminal Disclaimer.

To obviate a double patenting rejection, INSTITUT PASTEUR hereby disclaims, under the provisions of 37 C.F.R. § 1.321, the terminal part of any patent granted on the above-identified application, Serial No. 09/349,925, which would extend beyond the expiration date of U.S. Patent No. 6,452,066, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,452,066, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the above-identified application, Serial No. 09/349,925, that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154

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and 173 of U.S. Patent No. 6,452,066, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole, or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is authorized to act on behalf of Assignee, INSTITUT PASTEUR.

I hereby declare that all statements made of my own knowledge and belief are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: December 11th, 2002

By: 
INSTITUT PASTEUR
Name: Danielle Berneman
Title: Head of Patents
and Inventions Office

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Washington, D.C. 20231

DATE: 04/20/95

TO:

N08B

FINNEGAN, HENDERSON, FARABOW, GARRETT
& DUNNER - DAVID J. KULIK

1300 I STREET, N.W.

WASHINGTON, D.C. 20005-3315

MAY 10 1995

PATENT & TRADEMARK OFFICE
WASHINGTON, D.C. 20231

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

03495-0135

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:

CHANGEUX, JEAN-PIERRE

DOC DATE: 01/23/95

ASSIGNOR:

PICCIOTTO, MARINA

DOC DATE: 01/23/95

ASSIGNOR:

BESSIS, ALAIN

DOC DATE: 01/23/95

RECORDATION DATE: 03/10/95 NUMBER OF PAGES 002 REEL/FRAME 7373/0965

DIGEST: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

INSTITUT PASTEUR
28, RUE DU DOCTEUR ROUX
75724 PARIS CEDEX 15, FRANCE

RECEIVED

DEC 17 2002

SERIAL NUMBER 8-358627

FILING DATE 12/14/94

PATENT NUMBER

ISSUE DATE 00/00/00

TECH CENTER 1699/2900

Leif M. Ashby
EXAMINER/PARALEGAL
ASSIGNMENT BRANCH
ASSIGNMENT/CERTIFICATION SERVICES DIVISION

2240
5/10/95
BEW

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Rev. 6-93

RECOMMENDATION FORM COVER SHEET

PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

Atty. Docket No. 03495.01

to the Honorable Commissioner of Patents and Trademarks:
Please record the attached original documents or copy thereof.

ATTN: BOX ASSIGNMENT

1) Name of conveying party(ies):
Jean-Pierre CHANGÉUX, Marina PICCIOTTO
and Alain BESSIS

Additional name(s) of conveying party(ies)
attached? Yes X No

2) Nature of conveyance: 19

XX Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: January 23, 1995

2) Name and address of receiving party(ies):

Name: INSTITUT PASTEUR

Internal Address:

Street Address: 28, rue du Docteur Roux

City: 75724 Paris Cedex 15, FRANCE

State: ZIP:

Additional name(s) & address(es) attached?
Yes X No

3) Application number(s) or patent number(s):

If this document is being filed together with a new application,
the execution date of the application is:

A. Patent Application No.(s)

08/358,627

B. Patent No.(s)

Additional numbers attached? Yes X No

4) Name and address of party to whom
correspondence concerning document
should be mailed:

Name: Mr. David J. Kulik

Internal Address:

FINNEGAN, HENDERSON, FARABOW, GARRETT
& DUNNER

Street Address: 1300 I Street, N.W.

City: Washington

State: D.C. ZIP: 20005-3315

5) Total number of applications and patents
involved one.

6) Total fee (37 CFR 3.41): \$ 40.00

XX Enclosed

 Authorized to be charged to
deposit account

7) Deposit account number: 06-0916

Attach duplicate copy of this page if
paying by deposit account.

8) Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct
and any attached copy is a true copy of the original document.

David J. Kulik, Reg. No. 36,576

Name of Person Signing

Signature

3/10/95

Date

Total number of pages including cover sheet

ASSIGNMENT

SOLE/JOINT INVENTION
(Worldwide Rights)

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

GENOMIC DNA FRAGMENTS CONTAINING REGULATORY AND CODING SEQUENCES FOR THE B2-SUBUNIT

(Title of Invention)

OF NEURONAL NICOTINIC ACETYLCHOLINE RECEPTOR AND TRANSGENIC ANIMALS MADE USING THESE FRAGMENTS OR MUTATED FRAGMENTS

for which I/We executed an application for United States Letters Patent concurrently herewith or filed an application for United States Letters Patent on December 14 1994 (Serial No. 08/358,627)

WHEREAS **INSTITUT PASTEUR**

(Full Name of Assignee)

a corporation of France

(State or Country of Incorporation)

whose post office address is 28, rue du Docteur Roux, 75724 Paris Cedex 15, France

[hereinafter referred to as Assignee], is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/We, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, my/our entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications or Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/We have the full right to convey the interest assigned by this Assignment, and I/We have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with assignee, its successors and assigns, any facts known to me/us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors and assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/We have hereunto set our hands.

County of _____

State of _____

ss.

Subscribed and sworn to before me this _____ day

1/23/95 Pour certification

matérielle de la signature

de MRS CHANGEUX BESSIS

et Mlle PICCIOTTO

opposées ci-contre

Paris, le 8 Février 1995

Subscribed and sworn to before me this _____ day

19 _____

Notary Public

AL

County of _____

State of _____

ss.

Subscribed and sworn to before me this _____ day

19 _____

Notary Public

1. FULL NAME OF SOLE OR FIRST ASSIGNOR	
CHANGEUX, Jean-Pierre	
ADDRESS	
47, rue du Four, 75006 Paris, France	
FIRST ASSIGNOR'S SIGNATURE	
DATE	
1/23/95	

2. FULL NAME OF SECOND ASSIGNOR, IF ANY	
PICCIOTTO, Marina	
ADDRESS	
61 Blvd. Pasteur, 75015 Paris, France	
SECOND ASSIGNOR'S SIGNATURE	
DATE	
1/23/95	

3. FULL NAME OF THIRD ASSIGNOR, IF ANY	
BESSIS, Alain	
ADDRESS	
202 rue du Chateau des Rentiers, 75013 Paris, France	
THIRD ASSIGNOR'S SIGNATURE	
DATE	
1/23/95	